**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN**

**FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929**

**Bail Appl..No. 2710 of 2007()**

**CR.15/2007 of J.M.F.C.,PERUMBAVOOR**
**(C.R. NO.15/2007 OF KALADY EXCISE RANGE)**

**.....**

**PETITIONER/ACCUSED**

**RAJU, AGED 45 YEARS,**
**S/O.DAMODARAN, KARTHARA HOUSE,**
**ILLITHODU KARA, MALAYATOOR VILLAGE,**
**ALUVA TALUK.**

**BY ADV. SRI.K.SUNILKUMAR**

**RESPONDENTS: COMPLAINANT**

**STATE OF KERALA,**
**REP. BY THE PUBLIC PROSECUTOR,**
**HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.RAVINDRA BABU**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

K.P. Balachandran, J.

---

B.A.No. 2710 of 2007

---

**ORDER**

This is an application for regular bail filed under Section 439 Cr.P.C.

2. The petitioner is the accused in C.R. No.15/07 of Kalady Excise Range, registered for offence punishable under Section 55(i) of the Abkari Act, for having been found engaged in sale of 600 ml of IMFL at Illithodu on 24.4.2007. He is in custody from 24.4.2007 onwards. There is no case for the prosecution that the petitioner is a habitual offender and is involved in similar offences earlier.

3. Considering the nature of the allegations and the material involved in the offence, I am of the view that the petitioner is entitled to be enlarged on bail, imposing necessary conditions.

In the result, I grant bail to the petitioner on the following conditions:

(i) that the petitioner shall execute bail bond for Rupees twenty thousand with two solvent sureties each for like sums to the satisfaction of the Magistrate concerned;

(ii) that on release the petitioner shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iii) that in the event of violation of the above conditions, the learned Magistrate, on being satisfied of the violation, shall be entitled to treat the bail as cancelled and to proceed against the petitioner and his sureties, according to law.

4th May, 2007 (K.P.Balachandran, Judge)

tkv